01- _ -1518

City Council Atlanta, Georgia

AN ORDINANCE BY: ZONING COMMITTEE U-01-40 8-14-01

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of Section 16-05.005(1)(b) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a **Day Care Center** is hereby approved. Said use is granted to **Marlene Rush-Mackey** and is to be located at **1581 Fairburn Road, S.W.** to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 8 of the 14^{thFF} District, Fulton County, Georgia, being more particularly described by the attached legal description.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements," and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinances are hereby repealed.

Conditions for U-01-40

Site plan entitled "Got Kidz?, Inc.," prepared by Pearson and Associates, Inc., dated July 11, 2001, last revised August 8, 2001 and marked received by the Bureau of Planning August 14, 2001.

7.32' 5

With rehereby (Kidz, I)

U-01-40

Legal Description

All that tract or parcel of land lying and being in Land Lot 8 of the 14thFF District of Fulton County, Georgia and being more particularly described as follows:

Beginning at a ½ inch rebar set on the westerly right-of-way of Fairburn Road (50' R/W) said ½ inch rebar set being 101.8.2 feet southeasterly from its intersection with the north line of Land Lot 8; thence along said right-of-way of Fairburn Road along a curve to the right an are distance of 100.00 feet (being subtended by a chord distance of 99.86 a bearing of South 05 degrees 35 minutes 10 seconds West and a 540.14 foot radius) to a ½ inch rebar set; thence departing said right-of-way South 88 degrees 45 minutes 13 seconds West a distance of 446.15 foot to a 1 inch crimped top pipe found; thence South 09 degrees 25 minutes 41 seconds West a distance of 194.57 to a ½ inch rebar found; thence North 89 degrees 45 minutes 00 seconds West a distance of 399.20 feet to a 1 inch pipe found; thence North 05 degrees 37 minutes 58 seconds East a distance of 444.80 feet to a ½ inch rebar set; thence North 86 degrees 13 minutes 43 seconds East a distance of 435.00 feet to a 1 inch crimped top pipe found; thence South 09 degrees 18 minutes 47 seconds West a distance of 189.92 feet to a PK nail set; thence North 87 degrees 59 minutes 25 seconds cast a distance of 440.13 feet to said ½ rebar set and the POINT OF BEGINNING. Said tract containing 5.3426 acres as shown on survey prepared by Pearson & Associates, Inc. dated July11, 2001.

TOGETHER WITH those easement rights arising under that certain Authorization for An Easement with the Florence Jackson Academy on the Melvin Drive Site by Lester W. Butts, dated August 13, 1990, filed for record September 14, 1990 at 11:43 a.m., recorded in Deed Book 13702, Page 45, Records of Fulton County, Georgia.

BASED ON THE INFORMATION SHOWN ON THE FLOOD HAZARD BOUNDARY MAPS FURNISHED BY THE DEPT. OF H.U.D. THROUGH THE FEDERAL INSURANCE ADMINISTRATION. IT IS MY OPINION THAT THE PROPERTY SHOWN HEREON IS OUTSIDE OF THE FLOOD HAZARD AREA.

y, dated July 11,

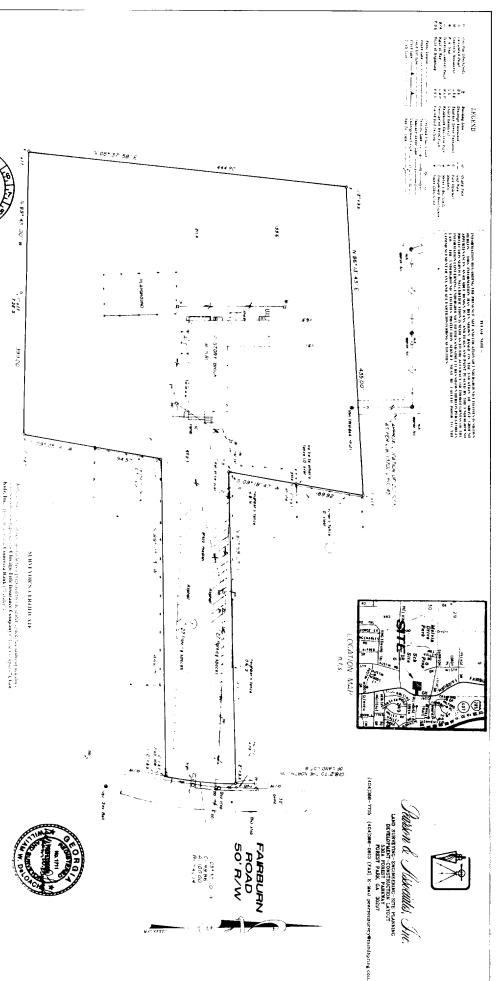
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REF

SUBDIVISION OF HENRY C. E W.T. POSTON, DATED JULY : COUNTY RECORDS.

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Legal Description

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Facement from Rey D. Hobson to Georgia Power Company, dated Jary ii. 1946. This hor record August 21: 1946 at 272 p.m., recorded in Deed Hook 13727, Page III. of porestad Records.
1040-04-NI RAF IN DES REPLIENTED IN DIES MEMON CONSERVEY.

List of Special Exception Fair II. Schedule B
Fair II. Schedule B
Fair II. Schedule B
Chacago Title Insurance Company
Commitment Number 2-1726(AHI)
effective dated June 01, 2001

M-61-40

M01 4 2001►

At according to the form and premises are shown and are provided via the means make ded on the sorvey. Municipal water, manucipal sorms sewer, manucipal sandary wive, and provide characters are strained in

REFERENCE PLAT

M BRINKIN OF BENNY C. BALDWIY & NELL BELDWIY PROPERTY, PREPARED BY W.L. PRINCIN, DATED JELY 27, 1984, RECORDED IN PLAT BOOK 52, PAGE 27, ELLION COLN'D RECORDS.

THIS PLAT IS BASED, UPON FIELD DATA WHICH HAS A PRECISION WAND. JOE ONE FOOT IN \$000 FEET AN AFEACH, MAGALE REFORM FO'S SECOND FEE ANGLE POINT AND WAS ADJUSTED USING THE COMPASS RULE.

THE DATA SHOWN ON THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND HAS A PRECISION NATIO OF ONE FOOT IN 754.924 FEET: "REVERSE DATA OBTANED USING A TOPCON GTS-3 SEPEE, TOTAL STATION

TOTAL ACREAGE : 5.3426 ACRES 232,721.72 SQ. FT.

TOTAL PARKING SPACES - 54

Boundary and Above Ground "As Built" Survey For

GOT KIDZ?, INC.

COMERICA BANK

CHICAGO TITLE INSURANCE COMPANY

FULTON COUNTY

14th H. DISTRICT GEORGIA

JULY 11, 2001

SC.VIT: 1.. = 90.

Atlanta City Council

Regular Session

MULTIPLE

01-0-1004;01-0-1300;01-0-1513;01-0-1517; 01-0-1518;01-0-1519;01-0-1520 ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

First R	First Reading COUNCIL ACTION First Reading First Reading	Committee	CERTIFIED			Action: Adv, Held (see rev. side) Fav, Adv, Held (see rev. side) Other:	Mombers 5 200	ا کا		Rober To Capatification of a second of the s		Committee (U ICCV 0 5 2001 LU	Date	Chair Chair CLERK	e rev. side)	MAYOR'S ACTION	Mombers Control of the Control of th		NOV 1.4 2001		
	01- () -1518 (Do Not Write Above This Line)	OJ- ()-1518 (Do Not Write Above This Une) AN ORDINANCE BY: ZONING COMMITTEE									•	ADOPTED BY NO * U 5 2001				CONSENT REFER	CONSENT REFER BEGULAR REPORT REFER ADVERTISE & REFER		Date Referred 9 17 01	Referred To: ZRB & Zaning	